

## **Town Board Minutes**

September 14, 2009

Meeting No. 27

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 14th day of September 2009 at 8:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM , COUNCIL MEMBER  
DANIEL AMATURA, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
JOHN DUDZIAK, TOWN ATTORNEY  
GEORGE PEASE, ASSISTANT CODE ENFORCEMENT OFFICER  
GARY STOLDT, CHIEF OF POLICE  
LOUIS CACCIOTTI, DEPUTY HIGHWAY SUPERINTENDENT  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES  
JOHN TROJANOWSKY, YOUTH BUREAU EXEC. DIRECTOR

### **PERSONS ADDRESSING TOWN BOARD:**

**Fronczak, Mike**, spoke to the Town Board on the following matters:

- prevailing wages paid to contractors
- proposed Police/Court building
- requirement in the law that sidewalks must be shoveled

**Mielko, John**, spoke to the Town Board on the following matter:

- Town owned property that he would like to acquire

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Ordinance and the Zoning Map of the Town of Lancaster as petitioned by Bella Vista Group in conjunction with Transit French Associates for the purpose of amending the zoning map for land situate at 4779 & 4783 Transit Road.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>Proponent/ NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Opponent/ Comments/Questions</b>
Mike Fronczak	Questions
Richard Sullivan, Attorney Harris Beach	Comments/Opponent
Joseph Cipolla, petitioner Bella Vista Group	Proponent
Bob Higgins	Opponent

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the public hearing was closed at 8:52 P.M.

Decision on this matter was reserved.

September 14, 2009

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:53 P.M., the Town Board held a Public Hearing to hear all interested persons upon the application of Myron Wasyl Prystajko for a Special Use Permit for the sales, rental, repair and service of new and used motorized vehicles on premises locally known as 3568 Walden Avenue.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>Proponent/ NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Opponent/ Comments/Questions</b>
Myron Prystajko, petitioner	Proponent
Mike Fronczak	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 9:04 P.M.

Decision on this matter was reserved.

September 14, 2009

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 9:04 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application to the Town of Lancaster as petitioned by Ronald Dalasandro for a Special Use Permit for the sales, rental and service of new and used motorized vehicles at premises locally known as 5071 Transit Road.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>Proponent/ NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT</b>	<b>Opponent/ Comments/Questions</b>
None	

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the public hearing was closed at 9:04 P.M.

Decision on this matter was reserved.

September 14, 2009

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED,** that the minutes of the Regular Meeting of the Town Board  
held August 17, 2009 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	ABSTAINED
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster is desirous of  
accepting new members to the roster of the Emergency Management Team.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby  
confirms the following new members of the Emergency Management Team:

Thomas Kessler Lancaster, New York 14086	Mark Reed Lancaster, New York 14086
Robert Brunstad Lancaster, New York 14086	Rick D. Smoyer Amherst, New York 14228
Pamela Hess-Wellspeak Alexander, New York 14005	

The question of the adoption of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS,** Marrano/Marc Equity, 2730 Transit Road, West Seneca, New York, 14224, has requested the Town Board of the Town of Lancaster accept work completed under Street Lighting Public Improvement within Pleasant Meadows Subdivision IV, Phase I (The Greens) within the Town of Lancaster, and

**WHEREAS,** the Town Engineer has inspected the improvement and, by letter to the Town Clerk dated August 28, 2009, has recommended the approval thereof, and

**WHEREAS,** the Town Attorney, by letter to the Town Clerk dated August 27, 2009, has reported his favorable review for the acceptance of this public improvement.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the following completed Street Lighting Public Improvement within Pleasant Meadows Subdivision IV, Phase I (The Greens) be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 661 - Street Lights

and,

**BE IT FURTHER**

**RESOLVED,** that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Operation IMPACT Tools Grant is sponsored by the Department of Criminal Justice Services to reduce UCR Part 1 Crimes, by developing and implementing problem-solving strategies, and

**WHEREAS**, the Town of Lancaster Police Department is interested in availing itself of \$40,000 in funding under this program to address crimes connected to drug usage that affect our Part 1 Crimes, and

**WHEREAS**, the grant requires 20% matching funds for the total project cost of \$50,000, including matching funds of \$10,000.

**NOW, THEREFORE. BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc. the Town's grant consultant, be and hereby is authorized and directed to complete the necessary application, forms, etc. to be submitted for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster will supply matching funds in an amount not to exceed \$10,000, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute any and all documents pertaining to the application for and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS,** according to New York State Election Law, effective January 1, 2006, the Erie County Board of Elections assumed the duties/responsibilities for conducting Primary and General Elections, and

**WHEREAS,** the Erie County Board of Elections has notified the Town Clerk that they have need of the use of certain Town of Lancaster buildings as polling places for the conduct of the September Primary and November General Election in 2009, and

**WHEREAS,** the Erie County Board of Elections has requested a lease agreement for such use.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Supervisor is authorized to execute an agreement with the Erie County Board of Elections to permit use of certain buildings, namely the Youth Bureau, Senior Citizens Center, and the Town Court Building as polling places for the conduct of the September Primary and November General Election in 2009.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, New York State mandates where municipalities can purchase  
their winter salt, and

**WHEREAS**, the Town of Lancaster and many other small municipalities must  
contract with the State of New York to purchase road salt from the state bid contract before  
knowing the price charged by the State for that winter season, and

**WHEREAS**, the budgets of smaller municipalities can be affected greatly by  
the price of road salt, and

**WHEREAS**, larger government entities (such as Erie County) bid their winter  
road salt needs on a yearly basis and sometimes get a lower price from the State than do the smaller  
municipalities, and

**WHEREAS**, the smaller municipalities are currently locked into a higher road  
salt price with the State than larger municipalities are. The State is charging the Town of Lancaster  
more for road salt at \$40.11/ton than it is charging the County of Erie at \$37.22/ton, and

**WHEREAS**, it is patently unfair for the State to require municipalities to buy  
road salt from the State without disclosing the price then charge different prices for the same road  
salt to different municipalities;

**NOW, THEREFORE BE IT**

**RESOLVED** that the Town of Lancaster believes that the State Senate and  
Assembly should make a law to allow smaller government agencies to chose the lowest road salt  
price when contracts are presented to them by the State, and

**BE IT FURTHER**

**RESOLVED** that the Town of Lancaster believes that the price of road salt  
should be given by the State before contracts are sent out to small municipalities, and

**BE IT FURTHER**

**RESOLVED** that the Lancaster Town Clerk is directed to send copies of this  
resolution to Assemblyman Dennis Gabryszak, Senator Dale Volker, Governor David Paterson,  
Legislator Diane Terranova, Legislator Thomas Mazur, County Executive Chris Collins, and to the  
Towns and Villages in Erie County.

The question of the adoption of the following resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, the Town Board has previously duly advertised for bids for one (1) new and unused Hydraulic Excavator for use by the Highway Department, and

**WHEREAS**, bids were received, opened and reviewed on August 27, 2009, and

**WHEREAS**, the Deputy Highway Superintendent, by letter dated September 8, 2009, has recommended award of the bid to Five Star Equipment, Inc., in the amount of \$186,683.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, upon the recommendation of the Deputy Highway Superintendent, hereby awards the bid for one (1) new and unused Hydraulic Excavator for use by the Highway Department, to Five Star Equipment, Inc., 284 Ellicott Road, Orchard Park, New York 14127, in conformance with the specifications on file in the Office of the Town Clerk, in the total amount of \$186,683.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board has previously duly advertised for bids for one (1) new and unused Twenty (20)-Ton Tag Trailer for use by the Highway Department, and

**WHEREAS**, bids were received, opened and reviewed on August 27, 2009, and

**WHEREAS**, the Deputy Highway Superintendent, by letter dated September 3, 2009, has recommended award of the bid to Anderson Equipment Company, Inc., in the amount of \$15,970.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, upon the recommendation of the Deputy Highway Superintendent, hereby awards the bid for one (1) new and unused Twenty (20)-Ton Tag Trailer for use by the Highway Department, to Anderson Equipment Company, Inc., 101 Great Arrow Avenue, Buffalo, New York 14216 in conformance with the specifications on file in the Office of the Town Clerk, in the total amount of \$15,970.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town Board has previously duly advertised for bids for two (2) new and unused Ten (10) foot Heavy Duty Bodies for use by the Highway Department, and

**WHEREAS**, bids were received, opened and reviewed on August 27, 2009, and

**WHEREAS**, the Deputy Highway Superintendent, by letter dated September 1, 2009, has recommended award of the bid to Valley Fab and Equipment, Inc., in the amount of \$31,322;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, upon the recommendation of the Deputy Highway Superintendent, hereby awards the bid for two (2) new and unused Ten (10) foot Heavy Duty Bodies for use by the Highway Department, to Valley Fab and Equipment, Inc., 9776 Trevett Road, Boston, New York 14025, in conformance with the specifications on file in the Office of the Town Clerk, in the total amount of \$31,322.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS, Pleasant Meadows LLC**, 2730 Transit Road, West Seneca, New York 14224 has heretofore applied for approval of a thirty-eight (38) single family home development to be known as Pleasant Meadows Subdivision V (The Cove), located west of Juniper Boulevard in the Town of Lancaster, and

**WHEREAS**, the Planning Board and Town Engineer have given their approval to the filing of this Subdivision, and

**WHEREAS**, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations, and

**WHEREAS**, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the proposed thirty-eight (38) single family homes development final plat as prepared by Greenman-Pedersen, Inc. Consulting Engineers dated August 5, 2009 and filed with the Town Clerk on August 27, 2009 for the development to be known as Pleasant Meadows Subdivision V, (The Cove) for filing in the Erie County Clerk’s office.

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town Board has previously duly advertised for bids for the Lancaster Town Hall Expansion/Addition utilizing five prime contracts for the General Construction, Electrical Work, Mechanical Work, Plumbing Work and Fire Protective Work, and

**WHEREAS**, a bond resolution was adopted on May 18, 2009 for a maximum not to exceed \$2,300,00.00, and

**WHEREAS**, bids were received, opened and reviewed on September 3, 2009, 2009, and

**WHEREAS**, Wm. Schutt & Associates, P.C. the Town's consulting engineer by letter dated September 9, 2009, has recommended award of the bid as follows:

General Construction to Transit Construction Services, 3181 Transit Road, Elma, New York 14059 being the lowest responsible bidder in the amount of \$930,000.00 and

Electrical Work to Hildreth Electric, P.O. Box 555, Lockport, New York 14095 being the lowest responsible bidder in the amount of \$225,500.00 and

Electric Alternate E-1 to Hildreth Electric, P.O. Box 555, Lockport, New York 14095 being the lowest responsible bidder in the amount of \$14,900.00 and

Mechanical Work to DWC Mechanical, Inc., 49 Stradtman Street, Cheektowaga, New York 14206 being the lowest responsible bidder in the amount of \$155,916.00 and

Plumbing Work to Aurora Plumbing, Inc., 5800 Seneca Street, Elma, New York 14059 being the lowest responsible bidder in the amount of \$49,980.00 and

Fire Protective Work to Allied Fire Protection Systems, 1885 Lyndon Boulevard, Falconer, New York 14733 being the lowest responsible bidder in the amount of \$54,700.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby awards the bids for the construction of the Town Hall Expansion/Addition to the following:

General Construction to Transit Construction Services, in the amount of \$930,000.00 and

Electrical Work to Hildreth Electric, in the amount of \$240,400.00 and

Mechanical Work to DWC Mechanical, Inc., in the amount of \$155,916.00 and

Plumbing Work to Aurora Plumbing, Inc., in the amount of \$49,980.00 and

Fire Protection Work to Allied Fire Protection Systems, in the amount of \$54,700.00, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor is hereby authorized to execute these contracts on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution, and

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has authorized Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York, to be the Engineer for the design of the adaptive reuse of the existing ambulance building, and

**WHEREAS**, this design will require the New York State Electric and Gas Corporation to locate its facilities on the property, and

**WHEREAS**, the New York State Electric and Gas Corporation is requesting that an Easement be executed by the Town of Lancaster allowing them to place their facilities on the expansion site to accommodate said expansion and renovations, and

**WHEREAS**, the Town Board of the Town of Lancaster has fully reviewed and considered the Easement and the need for the New York State Electric and Gas Corporation to locate its facilities on said property, and

**WHEREAS**, the Attorney for the Town of Lancaster has reviewed and approved said Easement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and is hereby authorized to execute this Easement Agreement with the New York State Electric and Gas Corporation on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS,** the Town of Lancaster has heretofore established a Joint Social Work Counselor Program with the Lancaster Central School District and desires to continue this program, and

**WHEREAS,** the Town Board has received assurance of participation in funding by the Lancaster Central School District.

**NOW, THEREFORE, BE IT  
RESOLVED,** as follows:

1. That the Lancaster Town Board hereby agrees to continue a joint program for a Social Work Counselor to work in the Town of Lancaster with Lancaster Central School children in response to a demonstrated need for such services in order to reduce juvenile delinquency; enhance educational and social opportunities for youth of the Town of Lancaster and to reduce the impact of drug use, truancy, vandalism, and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 2009 and ending June 30, 2010, and
2. That funding for the program, at a total annual cost of approximately \$74,971.00 which includes \$46,026.00 for direct salary, and \$25,945.00 for contractual expenses and fringe benefits for the period of July 1, 2009 to June 30, 2010 shall be provided at \$3,820.00 or approximately eight (8%) of direct salary from the New York State Office of Children and Family Services; \$35,575.50 or approximately forty-six (46%) of direct salary, plus one-half contractual expenses and fringe benefit costs from the Town of Lancaster, to be drawn from the General Fund Account “Social Work Counselor Program”, and \$35,575.50 or approximately 46% of direct salary plus one-half contractual expenses and fringe benefit costs, from the Lancaster Central School District, and
3. That Robert H. Giza, Supervisor of the Town of Lancaster is authorized to sign an Agreement, subject to the approval of the Town Attorney, to renew said program, said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, and the Lancaster Central School District.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 9852 to Claim No. 10244 Inclusive

Total amount hereby authorized to be paid: \$594,956.98

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**PREVIOUSLY TABLED PERMITS:**

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
16993	Grau Builders	24 Logan Ln	Er. Dwlg.-Sin.

**NEW PERMITS:**

17267	Windsong Radiology	4893 Transit Rd	Er. Comm. Alt.	
17273	G&K Sewer	487 Erie St	Er. Comm. Bldg.	
17274	Sahlems Roofing	45 Spruceland Ter	Re-Roof House	
17275	Duro Shed Inc	18 Doris Ave	Er. Shed	(V/L)
17276	Black Rock Roofing	2143 Como Park Blvd	Re-Roof House	(V/L)
17277	Tucker Homes	5 Worthington Ln	Er. Dwlg.-Sin.	
17278	Crawford, Howard	5145 William St	Re-Roof House	
17279	F&D Construction	59 Court St	Re-Roof House	(V/L)
17280	D Allen & Sons	48 Robert Dr	Re-Roof House	(V/L)
17281	Forbes Homes	40 Wainwright Ct	Er. Dwlg.-Sin.	
17282	Forbes Homes	3 Sawgrass Ln	Er. Dwlg.-Sin.	
17283	Duro Shed Inc	42 Nicholas Ln	Er. Shed	
17284	Sahlems Roofing	18 Riemers Ave	Re-Roof House	
17285	Neth & Son Inc	120 Cemetery Rd	Re-Roof House	
17286	Dalex Construction	32 St Joseph St	Re-Roof House	(V/L)
17287	Dalex Construction	15N Aurora St	Re-Roof House	(V/L)
17288	TR Renovation	432 Townline Rd	Re-Roof House	
17289	Sturm Roofing LLC	20 Quincy Ave	Re-Roof House	(V/L)
17290	The Maple Guy Const	1870 Como Park Blvd	Re-Roof House	(V/L)
17291	Start Remodeling	16 Cemetery Rd	Er. Deck	
17292	Oneida Fence	126 Irwinwood Rd	Er. Fence	(V/L)
17293	Housecrafters	57 Michael Anthony Ln	Er. Res. Add.	
17294	Duro Shed	51 Rehm Rd	Er. Shed	
17295	Gary Kostek	39 Quail Run Ln	Er. Fence	
17296	Premier Fence	19 Michael's Walk	Er. Fence	
17297	Castle Home Impr	69 N Aurora St	Re-Roof House	(V/L)
17298	Besroi Construction Corp	13 Crawford St	Re-Roof House	(V/L)
17299	Joseph Gugino Const	39 Lombardy St	Re-Roof House	(V/L)
17300	Joseph Gugino Const	42 Lombardy St	Re-Roof House	(V/L)
17301	Duro-Shed	650 Pleasant View Dr	Er. Shed	
17302	Duro-Shed	5 Muirfield Ln	Er. Shed	
17303	Joe Dennis	59 W Drullard Ave	Re-Roof House	(V/L)
17304	RGGT LLC	6291 Genesee St	Re-Roof House	
17305	A Best Inc.	44 Creekwood Dr	Er. Deck	

17306	Sun Enterprises	3 Sagebrush Ln	Er. Shed	
17307	Duro Shed	18 Rose St	Er. Shed	
17308	Sahlems Roofing	28 Old Post Rd	Re-Roof House	
17309	Coldspring Logging	10 Chicory Ln	Er. Shed	
17310	Schuster Const	32 Court St	Re-Roof House	(V/L)
17311	Duro Shed	32 Rose St	Er. Shed	
17312	Natalzia, William	17 Sawyer Ave	Er. Garage	(V/L)
17313	Newton Construction	14 Butler Dr	Er. Deck	
17314	Michael Meier	20 W Home Rd	Er. Res. Add.	
17315	Richard Thompson	18 Katherine St	Er. Dwlg.-Sin.	
17316	Essex Homes	7 Americo Ct	Er. Dwlg.-Sin.	
17317	Edible Arrangements	4779 Transit Rd	Er. Res. Alt.	
17318	D Allen & Son	16 Quincy Ave	Re-Roof House	(V/L)
17319	Sahlems Roofing	45 Stony Brook Dr	Re-Roof House	
17320	Sahlems Roofing	14 Hunters Dr	Re-Roof House	
17321	Besroi Construction	122 Stony Rd	Re-Roof House	
17322	Holiday Remodeling	764 Ransom Rd	Er. Garage	
17323	Eberle Inc	165 Court St	Re-Roof Bldg	(V/L)
17324	Dybalski, Richard	211 Enchanted Forest N	Re-Roof House	
17325	Harrigan, Dan	19 Cemetery Rd	Er. Pole Barn	
17326	Duro-Shed Inc	62 Williamsburg Ln	Er. Shed	
17327	Skea, Miriam	21 Hillside Pky	Re-Roof House	
17328	Pickett Fence	28 Chicory Ln	Er. Fence	
17329	Oneida Fence Inc	6 Deerpath Dr	Er. Fence	
17330	D R Chamberlain Corp	5255 Genesee St	Er. Comm. Alt.	
17331	The Maple Guy Const	17 Robins Nest Ct	Re-Roof House	
17332	Stockmohr Roofing	8 Farmingdale Ct	Re-Roof House	
17333	Perillo, Dennis	15 Rue Madeleine Way	Re-Roof House	
17334	Anderson Water Systems	15 Park Blvd	Inst. Generator	(V/L)
17335	Ferraraccio, Michael	26 E Drullard Ave	Er. Garage	(V/L)
17336	L & G Fireplace	46 Village View	Er. Fireplace	
17337	Sahlem's Roofing	35 Spruceland Ter	Re-Roof House	
17338	Sahlem's Roofing	243 Schwartz Rd	Re-Roof House	
17339	Sahlem's Roofing	89 Robert Dr	Re-Roof House	(V/L)
17340	Dempsey, Kevin	6 Chicory Ln	Er. Shed	
17341	Francis, Chris	3463 Walden Ave	Re-Roof House	(V/L)
17342	English, William	568 Harris Hill Rd	Er. Shed	
17343	KCM Garages	33 Americo Ct	Er. Garage	
17344	Zak Remodeling	45 Burwell Ave	Er. Res. Add.	(V/L)
17345	Besroi Construction	21 Impala Pky	Re-Roof House	
17346	Ryan Homes	24 Rose St	Er. Dwlg.-Sin.	
17347	Ryan Homes	36 Rose St	Er. Dwlg.-Sin.	
17348	Ryan Homes	47 Rose St	Er. Dwlg.-Sin.	
17349	Kuhn, Raymond	2012 Como Park Blvd	Er. Garage	(V/L)
17350	Brzykcy, Nicole	49 Running Brook Dr	Er. Shed	
17351	Countryside Stove	30 Michael's Walk	Er. Fireplace	
17352	Murphy, Mary	118 S Irwinwood Rd	Er. Fence	(V/L)
17353	Gugino Const	391 Lake Ave	Re-Roof House	

17354	Black Rock Roofing	580 Pleasant View Dr	Re-Roof House	
17355	Guttuso, Daryle	2673 Wehrle Dr	Re-Roof House	
17356	Sebastiano Const	27 Colonial Ave	Er. Shed	(V/L)
17357	Stockmohr Co	1 Wilma Dr	Re-Roof House	(V/L)
17358	Iroquois Fence	12 Butler Dr	Er. Fence	
17359	Sears, Richard	24 Wilkshire Pl	Er. Fence	(V/L)
17360	Keepsake Homes Inc	2 Traceway	Er. Dwlg.-Sin.	
17361	Besroi Roofing	9 Garfield St	Re-Roof House	(V/L)
17362	Prowse, Steven	531 Ransom Rd	Er. Res. Add.	
17363	Randaccio Blders	25 Worthington Ln	Er. Dwlg.-Sin.	
17364	RFH Exteriors	370 Seneca Pl	Re-Roof House	
17365	Home Depot	18 Katelyn Ln	Er. Shed	
17366	Ron Zee Builders	192 Siebert Rd	Re-Roof House	
17367	Jim's Electric	6675 Transit Rd	Er. Comm. Alt.	
17368	Zacher Electric	64 Gordon Ave	Inst. Generator	(V/L)
17369	Duro-Shed	7 Stone Hedge Dr	Er. Shed	
17370	JMT Const	9 Dorchester Ct	Re-Roof House	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 14, 2009

## COMMUNICATIONS & REPORTS

386. Lancaster Town Band Inc. to Town Board -  
Letter of appreciation to Town personnel for successful concert series.  
DISPOSITION = Received & Filed
387. Town of Holland to Town Board -  
Transmittal of resolution regarding purchase of salt from state contract.  
DISPOSITION = Resolution 9/14/09
388. Ferdinand J. Ciccarelli, Attorney to Town Clerk -  
Advisement of liquor license renewal application for Lancaster Country Club.  
DISPOSITION = Town Attorney
389. Town of Concord to Town Board -  
Transmittal of resolution regarding purchase of salt from state contract.  
DISPOSITION = Received & Filed
390. Time Warner Cable to Supervisor -  
Update on cable television service in town. DISPOSITION = Received & Filed
391. Coordinator, Lancaster Emergency Management to Town Clerk -  
Request for change in roster. DISPOSITION = Resolution 9/14/09
392. Salvatore's Italian Gardens Inc. to Town Clerk -  
Notice of application for liquor licence renewal. DISPOSITION = Town Attorney
393. Harris Hill Golf Center to Town Clerk -  
Notice of application for liquor license renewal. DISPOSITION = Town Attorney
394. Erie County Comptroller to Town Clerk -  
Transmittal of final 2009 tax settlement with Erie County. DISPOSITION = Received & Filed
395. Village of Lancaster to Town Board -  
Minutes of meeting held August 10, 2009. DISPOSITION = Received & Filed
396. Erie County Department of Environment & Planning to Supervisor -  
Notice of time period in which land owner may request inclusion of land into certified agricultural district. DISPOSITION = Received & Filed
397. Time Warner Cable to Supervisor -  
Update on cable television service in town. DISPOSITION = Received & Filed
398. Lancaster Historical Society to Supervisor -  
Letter of appreciation of donation by the 175<sup>th</sup> Anniversary Celebration Committee.  
DISPOSITION = Received & Filed
399. Deputy Highway Superintendent to Town Board -  
Request resolution to award bid for two 10-foot heavy-duty bodies to Valley Fab and Equipment, Inc. DISPOSITION = Resolution 9/14/09
400. Deputy Highway Superintendent to Town Board -  
Notice of no concerns regarding site plan for The Cove at Pleasant Meadows Subdivision.  
DISPOSITION = Planning Committee
401. Deputy Highway Superintendent to Town Board -  
Request resolution to petition the NYS legislature to allow government agencies to choose lowest possible road salt prices. DISPOSITION = Resolution 9/14/09
402. Deputy Highway Superintendent to Town Board -  
Request resolution to award bid for 20-ton tag trailer to Anderson Equipment Company.  
DISPOSITION = Resolution 9/14/09

- 403. Deputy Highway Superintendent to Town Board -  
Request resolution to award bid for excavator with brush cutter option to Five Star Equipment, Inc. DISPOSITION = Resolution 9/14/09
- 404. Wm. Schutt & Associates, P.C. to Town Board -  
Request resolutions awarding contracts for the Town Hall Expansion & Addition project to the lowest responsible bidders. DISPOSITION = Resolution 9/14/09
- 405. Town Clerk to Town Board -  
Monthly report for August 2009. DISPOSITION = Received & Filed
- 406. Kristin J. Keane to Town Clerk, Town Board -  
Letter of appreciation for opportunity to work in the Town Clerk’s Office.  
DISPOSITION = Received & Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the meeting was adjourned at 9:10 P.M.** in memory of Carmen Ventura, Gustive E. Sada and Marcia A. Hucul

Signed \_\_\_\_\_  
Johanna M. Coleman, Town Clerk